

Bureau of Indian Affairs

SHUTDOWN CONTINGENCY PLAN



Purpose

In the event of a lapse in appropriations, the Bureau of Indian Affairs (BIA) has prepared the following Contingency Plan (Plan) to designate excepted personnel for the protection of human life, property and to prevent harm.

Excepted Personnel

The Plan identifies Excepted Personnel in the following categories: Law Enforcement and Protection of Life and Property. These personnel are the minimum required to enable the BIA to provide vital services, exercise civil authority, and maintain the safety of its employees and the general public.

A total of 517 employees are excepted. This includes 71 law enforcement personnel that are not funded by carryover and 446 personnel needed to protect life and safety.

Exempt Personnel

The Plan identifies Law Enforcement personnel that are retained for the protection of life and property and are funded from carryover. If funds are exhausted, these employees would continue to be on duty in excepted status.

In addition, exempt personnel are funded by other than annual appropriations including transportation, irrigation and power revenue projects. The Transportation, Irrigation and Power Revenue Projects are not funded through lapsing appropriations and operations will continue for these programs as they operate on the revenues collected for the sites. These employees total 473.

A staffing summary of the Plan, if implemented, is provided as follows:

Employees on Board	RETAINED					Subject to Furlough
	Excepted - Law Enforcement	Exempt – Law Enforcement Funded from Carryover	Exempt - Funded by Other than Annual Appropriations	Excepted - Protection of Life and Property	Total Retained	
4,113	71	595	473	446	1585	2,528

AUTHORIZATION FOR REQUIRED SERVICES AND ACTIVITIES

Law Enforcement – 25 U.S.C. 2801 et seq. (Indian Law Enforcement Reform Act), 104 Stat. 473, P.L. 101-379, as amended; 124 Stat. 2262, P.L. 111-211 (Tribal Law and Order Act).
Human Services (Child Protection) – 25 Code of Federal Regulations 63 (Indian Child

Protection and Family Violence Prevention Act)
Wildland Fire Management – 25 Code of Federal Regulations 163
Irrigation (Non-appropriated funds Fee-for-Service) – 25 Code of Federal Regulations 171
Safety of Dams (Early Warning System Operation) – 25 Code of Federal Regulations 175

Required Functions
Provide emergency response activities on tribal and allotted lands.
Provide critical services that address health and safety of tribes and tribal members and BIA employees.
Provide immediate response to allegations of child abuse and neglect.
Provide law enforcement and detention operations on Indian lands under Federal jurisdiction, coordinate Tribal law enforcement activities, and enforcement of Federal laws.
Protect Federal facilities and infrastructure.
Provide critical services for delivery of water and power to irrigation systems, dams, and communities.
Provide transportation infrastructure construction and maintenance on tribal lands.

Excepted Support Activities

The following summarizes activities which are necessary to support excepted personnel.

Excepted Support Activities
Communicate with AS-IA employees, providing information on the status of operations.
Operate and maintain facilities for the health and safety of Federal employees and the protection of property.
Account for status of the workforce and recall employees to duty, as required.

Excepted Support Activities
Provide directorate communication about the status of appropriations.